TOXIC SUBSTANCES BRANCH CASE DISPOSITION SHEET

I.	INSPECTION INFORMATION							
	Site Name: Xcel Energy-Valentia Service Cer							
	Address: 2070 S Valentia Avenue, Denver, C							
	Inspector: Kim P. Le							
	Inspection date: 01/20/2010							
	Case Officer: Kim P. Le							
II.	CASE DISPOSITION:							
	A. Program B. Program and Procedural AHERA Prior Notification X PCB EPCRA 313 X CBI Notice TSCA Other FIFRA A. Program and Procedural Prior Notification X Notice of Inspect CBI Claim Form							
	C. Violation Codes and Narrative Statement of							
	Codes: No violations were observed during the inspection and record review.							
	D. Proposed Action(s): (Note: RP= Responsible Party)							
	X_ Close Case							
	Issue Notice of Non-Compliance or Warning Letter							
	RP Name:							
	RP Address:							
	Civil Administrative Complaint							
	RP Address:							
	Temporary Docket Number:							
	Civil Judicial Referral							
	Criminal Judicial Referral							
	E. Comments:							
	F. Prepared By: Line P. Le Date: 2/9/10							
	G. Approved By: Date: 29 0							
III.	LIST OF ATTACHMENTS: Initial Case Screening Worksheet Penalty Calculation Worksheet _X_ Inspection Report (Including Relevant Documents) Laboratory Analysis Report							
VI.	DATE OF CASE REFERRAL TO OFFICE OF LEGAL ENFORCEMENT PROGRAM:							

TOXIC SUBSTANCES BRANCH CASE DISPOSITION SHEET

I.	INSPECTION INFORMATION
1.	
	Site Name: Xcel Energy-Valentia Service Cer
	Address: 2070 S Valentia Avenue, Denver, C
	Inspector: Kim P. Le
	Inspection date: 01/20/2010
	Case Officer: Kim P. Le
II.	CASE DISPOSITION:
11.	A. Program B. Program and Procedural
	A. Program B. Program and Procedural
	AHERAPrior Notification
	V DCD V Notice of Inspect
	X PCB X Notice of Inspect
	EPCRA 313 _X CBI Notice
	TSCA Other X CBI Claim Form
	FIFRA
	C. Violation Codes and Narrative Statement of
	Codes: No violations were observed during the inspection and record review.
	D. Proposed Action(s): (Note: RP= Responsible Party)
	X Close Case
	Issue Notice of Non-Compliance or Warning Letter
	RP Name:
	RP Address:
	Civil Administrative Complaint
	RP Name:
	RP Address:
	Temporary Docket Number:
	Civil Judicial Referral
	Criminal Judicial Referral
	E. Comments:
	1/ ~ 0
	F. Prepared By: Kin P. Le Date: 2/9/10
	Ab The Market of
	G. Approved By: Date: 7 4 10
	G. Approved By. The Miles Date.
III.	LIST OF ATTACHMENTS:
111.	
	Initial Case Screening Worksheet
	Penalty Calculation Worksheet
	X Inspection Report (Including Relevant Documents)
	Laboratory Analysis Report
VI.	DATE OF CASE REFERRAL TO OFFICE OF LEGAL ENFORCEMENT PROGRAM:

TOXIC SUBSTANCES BRANCH CASE DISPOSITION SHEET

I.	INSPECTION INFORMATION Site Name: Xcel Energy-Valentia Service Center Address: 2070 S Valentia Avenue, Denver, CO 80310 Inspector: Kim P. Le Inspection date: 01/20/2010 Case Officer: Kim P. Le
II.	CASE DISPOSITION:
	A. Program B. Program and Procedural Requirements AHERA Yrior Notification Given X_PCB X_Notice of Inspection Issued EPCRA 313 X_CBI Notice TSCA Other FIFRA CBI Claim Form
	C. Violation Codes and Narrative Statement of Violations: Codes: No violations were observed during the inspection and record review. D. Proposed Action(s): (Note: RP= Responsible Party) X_ Close Case Issue Notice of Non-Compliance or Warning Letter
	RP Name: RP Address: Civil Administrative Complaint RP Name:
	RP Address: Temporary Docket Number: Civil Judicial Referral Criminal Judicial Referral
	E. Comments:
	F. Prepared By: Ain P. Le Date: 2/9/10 G. Approved By: Date: 2/9/10
	G. Approved By: 1/11/1/1/1/ Date: 2/4/10
III.	LIST OF ATTACHMENTS: Initial Case Screening Worksheet Penalty Calculation Worksheet Inspection Report (Including Relevant Documents) Laboratory Analysis Report
VI.	DATE OF CASE REFERRAL TO OFFICE OF LEGAL ENFORCEMENT PROGRAM



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
http://www.epa.gov/region08

Ref: 8ENF- AT

<u>MEMORANDUM</u>

SUBJECT: TSCA PCB Inspection Report

Valentia Service Center

Xcel Energy

2070 S. Valentia Avenue Denver, Colorado 80310 Inspection date: 01/20/2010

FROM:

Kim P. Le

Environmental Engineer

Kle 2/9/10

TO:

Cheryl A. Turcotte, Chief

Technical Enforcement Program

On January 20, 2010, I conducted a PCB inspection at the Valentia Service Center (owned by Xcel Energy) in Denver, Colorado. The purpose of my inspection was to determine the facility's compliance status relative to TSCA-PCB regulations. I met with Mr. Nick Pizzuti, Environmental Analyst and Daniel Devore, Environmental Analyst, at the facility. During the opening conference, I explained the purpose of my visit and presented my credentials to Mr. Devore. Mr. Devore then signed the Notice of Inspection form, read and signed the TSCA Inspection Confidentiality Notice form, and signed the Declaration of Confidential Business form, declining any confidentiality claims relative to the information collected during this inspection. At the end of the inspection, Mr. Devore signed the Receipt for Samples and Documents form.

The Valentia Service Center temporarily stores the potential PCB electrical equipment such as transformers, capacitors, bushings, etc. I requested to inspect the record keeping document such as the bill of lading which transferred the PCB items from this facility to the Lipan Distribution Center (permanent) in Denver, Colorado. Mr. Pizzuti told me that he would provide me with the bill of lading later because all of the records regarding the disposal were kept in the Lipan Distribution Center.

During my field inspection, I observed many transformers and drums stored in the open air area located at the eastside of the facility. Based on the PCB regulation of

40 CFR 761.65 (c) (1), the PCB items can be stored without roofs, walls, and doors up to 30 days from the day the PCB item or container was removed from service or the date of the test result. I noticed some of the electrical equipment was dated with testing information and waiting for the PCB test result. Mr. Devore also told me as soon as the test comes back with the PCB concentration, any electrical equipment with the PCB concentration of equal or greater than 50 parts per million will be transferred immediately to the Lipan Distribution Center for disposal. Mr. Pizzuti told me that each center has staff in charge of checking the condition of the electrical equipment for leaking condition. The practice for handling leaking or potentially leaking PCB items at this storage building was in satisfactory condition because they were stored in secondary containment.

From my record keeping review and observations from the field inspection, I determined that the company did not violate the PCB regulations of 40 CFR 761. At the closing conference, a receipt for documents was completed and issued to Mr. Devore. I thanked the company personnel for their cooperation in answering questions, providing records, and conducting the inspection of the facility. The inspection concluded the same day.

Attachments:

- 1. Notice of Inspection form.
- 2. TSCA Inspection Confidentiality Notice form.
- 3. Declaration of Confidential Business Information form.
- 4. Receipt for Samples and Documents form.
- 5. Bill of Lading (provided later).

COPY



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
http://www.epa.gov/region08

Ref: 8ENF-AT

FER 9 2010

Daniel Devore Environmental Manager Xcel Energy/Valentia Service Center 2070 S Valentia Avenue Denver, Colorado 80310

RE: Closeout of TSCA-PCB Inspection

Dear Mr. Devore:

On January 20, 2010, I conducted an inspection at your facility for compliance with the PCB regulations found at 40 C.F.R Part 761 of the Toxic Substance Control Act (TSCA) program. Based on the inspection and records review; no compliance deficiencies were found. This correspondence closes out this inspection.

We thank you and your staff for your cooperation and should you have any questions please feel free to contact me at 303-312-6973.

Sincerely,

Kim P. Le

Region 8 – PCB inspector

Kim P. Le

Technical Enforcement Program

STRAIGHT BILL OF LADING - SHORT FORM - Original - Not Negotiable

SHIPPER'S NO.

53330

CARRIER'S NO.

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of the issue of this Bill of Lading.

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XCEL ENERGY							OT 17	

Permanent post office address of shipper: P.O. BOX 840, DENVER, CO 80201-0840 (This Bill of Lading is to be signed by the shipper and agent of the carrier issuing same).

STRAIGHT BILL OF LADING - SHORT FORM - Original - Not Negotiable

SHIPPER'S NO.

53539

CARRIER'S NO.

RECEIVED, subject to the classifications and lawfully filed tariffs in effect on the date of the issue of this Bill of Lading.

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Permanent Post office address of shipper: P.O. BOX 840, DENVER, CO 80201-0840 (This Bill of Lading is to be signed by the shipper and agent of the carrier issuing same).

1/20/2010-	Temporary Center of
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US ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

Form Approved OMB No. 2070-0007 Approval expires 8-31-85

TOXIC SUBSTANCES CONTROL ACT

~/ /		INSPECTION	
1. INVESTIGATION IDENT DATE INSPECTOR NO.		3. FIRM MAME XCH Energy Sorn	ce center.
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Under the authority o	of Section 11 of the Toxic Substanc	ces Control Act :	
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EPA Form 7740-3 (12-82)

INSPECTION FILE



US ENVIRONMENTAL PROTECTION AGENCY

TOXIC SUBSTANCES CONTROL ACT OMB No. 2070-0007 Approval expires 8-31-85							
	NOTICE OF I						
1. INVESTIGATION IDENTIFICATION	2. TIME	3. FIRM NAME	001				
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For the purpose of inspecting (including taking samples, photographs, statements, and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures or articles containing same are manufactured, processed or stored, or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyance being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act applicable to the chemical substances, mixtures, or articles within or associated with such premises or conveyance have been complied with.							
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☐ B. Sales data		E. Research data					
☐ C. Pricing data							
The nature and extent of inspection of such data specified in A through E above is as follows:							
INSPECTOR SIGNATURE		RECIPIENT SIGNATURE					

DATE SIGNED

EPA Form 7740-3 (12-82)

NAME

TITLE

FACILITY

DATE SIGNED



US ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

Form Approved OMB No. 2070-0007 Approval expires 8-31-85

	NOTICE OF INSPECTION									
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US ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

Form Ap	proved	
OMB No.	2070-0007	
Approval	expires 8-31-8	5

TOXIC SUBSTANCES CONTROL ACT NOTICE OF INSPECTION 1. INVESTIGATION IDENTIFICATION 3. FIRM NAME INSPECTOR NO. DAILY SEQ. NO. DATE 4. INSPECTOR ADDRESS 5. FIRM ADDRESS REASON FOR INSPECTION Under the authority of Section 11 of the Toxic Substances Control Act : For the purpose of inspecting (including taking samples, photographs, statements, and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures or articles containing same are manufactured, processed or stored, or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyance being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act applicable to the chemical substances, mixtures, or articles within or associated with such premises or conveyance have been complied with. In addition, this inspection extends to (Check appropriate blocks): A. Financial data D. Personnel data E. Research data B. Sales data C. Pricing data The nature and extent of inspection of such data specified in A through E above is as follows; RECIPIENT SIGNATURE INSPECTOR SIGNATURE NAME NAME DATE SIGNED DATE SIGNED TITLE



Toxic Substances Control Act
RECEIPT FOR SAMPLES AND DOCUMENTS

Form Approved OMB No. 2070-0007 Approval Expires 10-31-92

1. Investigation Identification			2. Firm Name	20 Co2.
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3. Inspector Address	<u>. </u>	<u> </u>	4. Firm Address	
1595	Wyn Krop	street	2070 S Valut	ia Horan.
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Name	MP. LE		DAVILL & DEVOTO	
Title Comp ho	ine Juspeth	Date Signed	Tille Date //	Signed 70/0



OMB No. 2070-0007 Approval Expires 10-31-92

Form Approved

RECEIPT FOR SAMPLES AND DOCUMENTS

		Investigation Identification	2. Firm Name County		
Date	20/10	Inspector No. Daily Seq. No.	Valuation Service Centra		
3. In	spector Address		4. Firm Address		
	1595 Dun	m, G 80202	2070 S. Valuta Aven. Juner, Co 80310		
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Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.					
Insp	ector Signature	Kin P. Le	Recipient Signature		
Nam	KI	M P. LE	Name De Jac		
Title	Comp wa	ne Pusperts Date Signed	Title Date Signed		



Form Approved OMB No. 2070-0007 Approval Expires 10-31-92

RECEIPT FOR SAMPLES AND DOCUMENTS

			2. Firm Name		
Date	20110	Inspector No.	Daily Seq. No.	Xcel theray Service Centr.	
3. Ins	spector Address		METER TRANSPORTER	4. Firm Address	
	1595 Du	wyn Koop	Street 80202	2070 S. Valuta Aven. Duner, Co 80310	
	The documents and samples of chemical substances and/or mixtures described below were collected in connection with the administration and enforcement of the Toxic Substances Control Act.				
		Receipt of t	the document(s) and/or sample	ple(s) described is hereby acknowledged:	
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Inspe	ertify that the state wingly false or mis ector Signature	ments I have made on the	nis form and all attachments punishable by fine or imprison	s thereto are true, accurate, and complete. I acknowledge that any comment or both under applicable law. Recipient Signature	
Name	9	Kin P. Le		Name	
Title	KI	MP. LE	Date Signed	DAVIN L DEVOC	
1110	Omp wa	ne suspects	Date signed	Title Date Signed	



Form Approved OMB No. 2070-0007 Approval Expires 10-31-92

RECEIPT FOR SAMPLES AND DOCUMENTS

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Nam	IA.		Kin P. Le		Name	
		KI	MP. LE		TANK & DEVOR	
Title	Con	pla	ne Inspects	Date Signed	Title Date Signed	

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US ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

Form Approved OMB No. 2070-0007 Approval expires 10-31-92

TSCA INSPECTION CON	FIDENTIALITY NOTICE
1. INVESTIGATION IDENTIFICATION	2. FIRM NAME
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KIM PLE	2070 S. Valuta Avenu.
5. INSPECTOR ADDRESS	
1595 Wynkoup Street	Denver, 6 80310
	6. CHIEF EXECUTIVE OFFICER NAME
Denve, Co 80202	7. TITLE
,	7.1116
TO ASSERT A CONFIDENTIAL	BUSINESS INFORMATION CLAIM
It is possible that EPA will receive public requests for release of the information obtained during inspection of the facility above. Such requests will be handled by EPA in accordance with provisions of the Freedom of Information Act (FOIA), 5 USC 552; EPA regulations issued thereunder, 40 CFR Part 2; and the Toxic Substances Control Act (TSCA), Section 14. EPA is required to make inspection data available in response to FOIA requests unless the Administrator of the Agency determines that the data contain information entitled to confidential treatment or may be withheld from release under other exceptions of FOIA.	The information is not, and has not been, reasonably obtainable without your company's consent by other persons (other than governmental bodies) by use of legitimate means (other than discovery based on showing of special need in a judicial or quasi-judicial proceeding). The information is not publicly available elsewhere. Disclosure of the information would cause substantial harm to your company's competitive position.
Any or all the information collected by EPA during the inspection may be claimed confidential if it relates to trade secrets or commercial or financial matters that you consider to be confidential business information. If you assert a CBI claim, EPA will disclose the information only to the extent, and by means of the procedures set forth in the regulations (cited above) governing EPA's treatment of confidential business information. Among other things, the regulations require that EPA notify you in advance of publicly disclosing any information you have claimed as confidential business information. A confidential business information (CBI) claim may be asserted at any time. You may assert a CBI claim prior to, during, or after the information is collected. The declaration form was developed by the Agency to assist you in asserting a CBI claim. If it is more convenient for you to assert a CBI claim on your own stationery or by marking the individual documents or samples "TSCA confidential business information," it is not necessary for you to use this form. The inspector will be glad to answer any questions you may have regarding the Agency's CBI procedures.	At the completion of the inspection, you will be given a receipt for all documents, samples, and other materials collected. At that time, you may make claims that some or all of the information is confidential business information. If you are not authorized by your company to assert a CBI claim, this notice will be sent by certified mail, along with the receipt for documents, samples, and other materials to the Chief Executive Officer of your firm within 2 days of this date. The Chief Executive Officer must return a statement specifying any information which should receive confidential treatment. The statement from the Chief Executive Officer should be addressed to:
 While you may claim any collected information or sample as confidential business information, such claims are unlikely to be upheld if they are challenged unless the information meets the following criteria: 1. Your company has taken measures to protect the confidentiality of the information, and it intends to continue to take such measures. 	and mailed by registered, return-receipt requested mail within 7 calendar days of receipt of this Notice. Claims may be made any time after the Inspection, but inspection data will not be entered into the special security system for TSCA confidential business information until an official confidentiality claim is made. The data will be handled under the agency's routine security system unless and until a claim is made.
TO BE COMPLETED BY FACILITY OFFICIAL RECEIVING THIS NOTICE:	If there is no one on the premises of the facility who is authorized to make
I have received and read the notice	business confidentiality claims for the firm, a copy of this Notice and other inspection materials will be sent to the company's chief executive officer. If there is another company official who should also receive this information, please designate below.
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TITLE 1/4 D DATE SIGNED	ADDRESS
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Paperwork Reduction Act Notice



US ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

Form Approved OMB No. 2070-0007 Approval expires 10-31-92

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tial business information are challenged unle	m any collected information ation, such claims are unlikes the information meets by has taken measures to protee information, and it intermeasures.	kely to be upheld if they the following criteria: otect the confi-	and mailed by registered, return-receipt requested mail within 7 calendar days of receipt of this Notice. Claims may be made any time after the inspection, but inspection data will not be entered into the special security system for TSCA confidential business information until an official confidentiality claim is made. The data will be handled under the agency's routine security system unless and until a claim is made.		
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SIGNATURE	Platoe		NAME		
NAME	The second second		TITLE		

ADDRESS

DATE SIGNED

Paperwork Reduction Act Notice



US ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

Form Approved OMB No. 2070-0007 Approval expires 10-31-92

TSCA INSPECTION CONFIDENTIALITY NOTICE

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TO ASSERT A CONFIDENTIAL BUSINESS INFORMATION CLAIM

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While you may claim any collected information or sample as confidential business information, such claims are unlikely to be upheld if they are challenged unless the information meets the following criteria:

Your company has taken measures to protect the confi-1. dentiality of the information, and it intends to continue to take such measures.

- The information is not, and has not been, reasonably obtainable without your company's consent by other persons (other than governmental bodies) by use of legitimate means (other than discovery based on showing of special need in a judicial or quasi-judicial proceeding).
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The statement from the Chief Executive Officer should be addressed

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SIGNATURE LA COL		NAME
DANH 2 DEVOCE		TITLE
FAID SIX'S	DATE SIGNED	ADDRESS

Paperwork Reduction Act Notice



US ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

Form Approved OMB No. 2070-0007 Approval expires 10-31-92

TSCA INSPECTION CONFIDENTIALITY NOTICE

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Paperwork Reduction Act Notice

The public reporting burden for this collection of information is estimated to average 5 minutes per response. This estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information to the Chief, Information Policy Branch (PM-223), US Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked ATTENTION: Desk Officer for EPA.

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United States Environmental Protection Agency Washington, D.C. 20460

Toxic Substances Control Act

Form Approved
OMB No. 2070-0007
Approval Expires 10-31-92

DECLARATION OF CONFIDENTIAL BUSINESS INFORMATION

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 Information and Regulatory Affairs, Office of Management and Budget, Washington 	ngton, DC 20503, marked ATTENTION: Desk Officer for EPA.
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The undersigned understands that challenges to confidentiality claim unless the information meets the following guidelines: (1) The comp information and it intends to continue to take such measures; (2) The without the company's consent by other persons (other than gove discovery based on a showing of special need in a judicial or que available elsewhere; and (4) Disclosure of the information would caus	any has taken measures to protect the confidentiality of the information is not, and has not been reasonably attainable immental bodies) by use of legitimate means (other than as-judicial proceeding): (3) The information is not publicly
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Inspector Signature P. Le	Claimant Signature (2)
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Inspection File



EPA 7740-2 Rev (8-91)

United States Environmental Protection Agency Washington, D.C. 20460

Toxic Substances Control Act

Form Approved OMB No. 2070-0007 Approval Expires 10-31-92

DECLARATION OF CONFIDENTIAL BUSINESS INFORMATION

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United States Environmental Protection Agency Washington, D.C. 20460

Toxic Substances Control Act

Form Approved OMB No. 2070-0007 Approval Expires 10-31-92

DECLARATION OF CONFIDENTIAL BUSINESS INFORMATION

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United States Environmental Protection Agency Washington, D.C. 20460

Toxic Substances Control Act

Form Approved OMB No. 2070-0007 Approval Expires 10-31-92

DECLARATION OF CONFIDENTIAL BUSINESS INFORMATION

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Inspector Signature	Lui P. Le		Claimant Signature			
Name	M PILE		Name Vage			
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